

## Article - Transportation

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§16–807.

(a) (1) Except when driving under a commercial driver's instructional permit and accompanied by the holder of a driver's license valid for the class of vehicle being driven, an individual may not drive a commercial motor vehicle unless the individual:

(i) Has been issued a commercial driver's license that:

1. Is valid for the class of vehicle being operated; and
2. Has the proper endorsements for the specific vehicle or vehicle combination being operated or for the passengers or type of cargo being transported; and

(ii) Is in immediate possession of a driver's license valid for the class of vehicle being driven.

(2) It shall be a valid defense to a charge of violating paragraph (1)(ii) of this subsection for the driver to provide a certified record either from the Administration or from the licensing authority of the driver's home state showing that the driver held a valid commercial driver's license on the date of the violation.

(b) (1) Except as provided in § 16–807.1 of this subtitle, an individual may not be issued a commercial driver's license until the individual has passed the knowledge and skill tests for driving a commercial motor vehicle which complies with the minimum federal standards established by the federal Commercial Motor Vehicle Safety Act of 1986 (Title XII of Public Law 99–570), and has satisfied all other requirements of that act as well as any other requirements of this title.

(2) The tests shall be prescribed and conducted at the direction of the Administration.

(3) The Administration shall adopt regulations to waive the skill test required under paragraph (1) of this subsection in a manner consistent with 49 C.F.R. § 383.77.

(c) A commercial driver's license may be issued only to:

(1) An individual who drives or will drive a commercial motor vehicle and who is a resident of this State; and

(2) Those nonresidents who may qualify under § 16–817 of this subtitle.

(d) A commercial driver's license may not be issued to an individual:

(1) While the individual is disqualified from driving a commercial motor vehicle;

(2) While the individual's driver's license is suspended, revoked, or canceled in this State or any other state; or

(3) While the individual holds a commercial driver's license or driver's license issued by any other jurisdiction, unless the individual surrenders that license for return to the issuing jurisdiction for cancellation.

(e) (1) A commercial driver's instructional permit may be issued for the class of commercial driver's license applied for only to an individual who has passed the appropriate knowledge and vision screening tests.

(2) The holder of a commercial driver's instructional permit may drive a commercial motor vehicle on a highway only when the individual is accompanied by and under the immediate supervision of the holder of a driver's license valid for the type of vehicle driven, if the accompanying driver:

(i) Is at least 21 years old; and

(ii) Has been licensed for at least 3 years in this State or in another state to drive vehicles of the class then being driven.

(f) Except as provided in § 16–101 of this title, a person convicted of a violation of subsection (a) of this section is subject to:

(1) For a first offense, imprisonment not exceeding 2 months or a fine not exceeding \$500 or both;

(2) For a second offense, imprisonment not exceeding 6 months or a fine not exceeding \$1,000 or both; and

(3) For a third or subsequent offense, imprisonment not exceeding 1 year or a fine not exceeding \$2,000 or both.

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